

ORDINANCE NO. _____

AN ORDINANCE ORDERING A SPECIAL ELECTION BY THE QUALIFIED VOTERS OF THE CITY OF FORT WORTH, TEXAS ON MAY 4, 2024, ON THE QUESTION OF APPROVING AND IMPLEMENTING RESOLUTION NO. 5866-01-2024 AUTHORIZING THE FORT WORTH CONVENTION CENTER AS A VENUE PROJECT IN ACCORDANCE WITH CHAPTER 334, TEXAS LOCAL GOVERNMENT CODE, AND DESIGNATING THE METHOD OF FINANCING FOR THE PROJECT AND ORDAINING RELATED MATTERS.

WHEREAS, Chapter 334 of the Texas Local Government Code (the “Act”), as amended, authorizes the City Council to designate various sports-related and community-related capital improvements—including convention centers, convention center facilities, and related improvements in the vicinity of convention centers—as a “venue” and to designate methods of financing to help fund the planning, acquisition, establishment, development, construction, or renovation of the venue and related infrastructure, subject to approval of the voters in an election called for that purpose; and

WHEREAS, before calling such an election, the Act requires (i) that the City Council adopt a resolution providing for the planning, acquisition, establishment, development, construction, or renovation of a venue project and the methods of financing authorized by the Act that the City Council wishes to use to finance the project, and (ii) that the Texas Comptroller for Public Accounts (the “Comptroller”) provide written notice to the City that implementation of the resolution will not have a significant negative fiscal impact on state revenue; and

WHEREAS, on January 9, 2024, the Fort Worth City Council adopted Resolution No. 5866-01-2024 designating the Fort Worth Convention Center and related infrastructure as a venue project in accordance with the Act (collectively, the “Venue Project”), and designating the method of financing for the Venue Project, subject to voter approval at an election called for such purpose; and

WHEREAS, by letter dated January 24, 2024, the Comptroller notified the City of Fort Worth (the “City”) of the Comptroller’s determination that approval and implementation of Resolution No. 5866-01-2024 would have no significant negative impact on state revenue; and

WHEREAS, in accordance with the Act, the City Council wishes to order a special election to be submitted to the qualified voters of the City of Fort Worth, Texas on May 4, 2024, on the question of approving and implementing Resolution No. 5866-01-2024, designating the Fort Worth Convention Center and related infrastructure as a Venue Project and designating the method of financing for the Venue Project;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS THAT:

SECTION 1.
ELECTION ORDERED

The City Council hereby orders that a special election be held on May 4, 2024 (the “Election”).

The City Council hereby finds that the date at which the Election shall be held is not less than seventy-eight (78) days from the date this Ordinance is adopted.

SECTION 2.
MEASURE

At the Election, the following measure (the “Measure”) shall be submitted to the qualified voters of the City in accordance with law:

CITY OF FORT WORTH MEASURE A

Shall the City of Fort Worth, Texas be authorized to provide for the planning, acquisition, establishment, development, construction, and renovation of the Fort Worth Convention Center and related infrastructure (the “Venue Project”) as a sports and community venue project of the type described and defined in Section 334.001(4)(B) of and permitted by Chapter 334, Texas Local Government Code (the “Act”), designated by City Council Resolution No. 5866-01-2024, and described in summary form as the Fort Worth Convention Center and related infrastructure, as defined in Chapter 334, Texas Local Government Code, and to impose a new venue hotel occupancy tax on the price paid for a room in a hotel, at a rate not to exceed two percent (2%) of the price of the hotel room, for the purpose of financing the venue project, as and to the extent permitted by Subchapter H of Act, with such tax to be in addition to the tax imposed under Chapter 351 of the Texas Tax Code and with the combined hotel occupancy tax rate imposed from all sources not to exceed seventeen percent (17%) of the price paid for a room in a hotel?

SECTION 3.
BALLOT PROPOSITION

The official ballots to be used in the Election shall be prepared in accordance with Sections 52.072 and 52.073 of the Texas Election Code, as amended. The ballots shall be printed in English, Spanish and Vietnamese for use in the Election. The ballots shall permit the electors to vote “For” or “Against” the aforesaid Measure and shall be set forth on the ballots in substantially the following

form:

CITY OF FORT WORTH PROPOSITION A

- ☐ **FOR**
- ☐ **AGAINST**

Authorizing the City of Fort Worth, Texas to provide for renovation of the Fort Worth Convention Center and related infrastructure (the "Venue Project" designated by City Council Resolution No. 5866-01-2024), and to impose a new venue hotel occupancy tax on the price paid for a room in a hotel, at a rate not to exceed two percent (2%) of the price of the hotel room, for the purpose of financing the Venue Project; if approved, the maximum hotel occupancy tax rate imposed from all sources in the City of Fort Worth would be seventeen percent (17%) of the price paid for a room in a hotel.

SECTION 4. ELECTION DAY

- (a) The Tarrant, Denton, and Parker County polling places shall be kept open on May 4, 2024, from 7:00 a.m. to 7:00 p.m., and due returns shall be made to the City Council showing the number of votes cast "For" and "Against" the Measure.

SECTION 5. EARLY VOTING CLERKS

- (a) Clinton Ludwig, Tarrant County Elections Administrator, or his successor, shall serve as the early voting clerk for the Tarrant County portion of the Election.
- (b) Applications for early voting ballots to be voted by mail by Tarrant County voters should be forwarded as follows:

Mailing address: Early Voting Clerk
Tarrant County Elections
P.O. Box 961011
Fort Worth, Texas 76161-0011

Express Courier Delivery: Early Voting Clerk
Tarrant County Elections
2700 Premier Street
Fort Worth, Texas 76111-3011

Fax: (817) 850-2394

Email: votebymail@tarrantcounty.com

- (c) Frank Phillips, Denton County Elections Administrator, or his successor, shall serve as the early voting clerk for the Denton County portion of the Election.
- (d) Applications for early voting ballots to be voted by mail by Denton County voters should be forwarded as follows:

Mailing Address: Frank Phillips, Early Voting Clerk
701 Kimberly, Suite A100
Denton, Texas, 76208

Or

P.O. Box 1720
Denton, Texas, 76202

Express Courier Delivery: Early Voting Clerk
701 Kimberly, Suite A100
Denton, Texas, 76208

Fax: 940-349-3201

Email: elections@dentoncounty.com

- (e) Jenise “Crickett” Miller, Parker County Elections Administrator, or her successor, shall serve as the early voting clerk for the Parker County portion of the Election.
- (f) Applications for early voting ballots to be voted by mail by Parker County voters should be forwarded as follows:

Mailing Address: Early Voting Clerk
P.O. Box 639
Weatherford, Texas, 76086

Express Courier Delivery: Early Voting Clerk
1112 Santa Fe Drive
Weatherford, Texas, 76086

Fax: 817-598-6183

Email: s.bryan@parkercountytexas.com

- (g) Applications for early voting ballots by mail must be received no later than the close of business on April 23, 2024.

SECTION 6. EARLY VOTING

- (a) Early Voting by personal appearance for Fort Worth residents shall be conducted beginning April 22, 2024, and continue through April 30, 2024.

- (b) The main Early Voting locations and times for Fort Worth residents are:

- (1) Voters residing in Tarrant County:

Location: Tarrant County Elections Center
2700 Premier Street
Fort Worth, Texas 76111

Times:

April 22 –26	Monday – Friday	8:00 a.m. – 5:00 p.m.
April 27	Saturday	7:00 a.m. – 7:00 p.m.
April 28	Sunday	10:00 a.m. – 4:00 p.m.
April 29-30	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

- (2) Voters residing in Denton County:

Location: Denton County Elections Administration
701 Kimberly Drive, Ste. A111
Denton, Texas 76208

Times:

April 22 –27	Monday – Saturday	8:00 a.m. – 5:00 p.m.
April 28	Sunday	11:00 a.m. – 5:00 p.m.
April 29-30	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

- (3) Voters residing in Parker County

Location: Parker County Courthouse Annex – Annex Kitchen
1112 Santa Fe Drive
Weatherford, Texas 76086

Times:

April 22-25	Monday-Thursday	8:00 a.m. – 5:00 p.m.
April 26	Friday	7:00 a.m. – 7:00 p.m.
April 29-30	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

The locations, dates, and times listed above are subject to revision by each respective County Elections Administrator. The City Secretary is charged with advising the public via internet posting or other appropriate means regarding changes to any location, date, or time.

SECTION 7. VOTING SYSTEM AND JOINT ELECTION

An electronic voting system, as defined in Chapter 121 of the Texas Election Code, shall be used for voting at the regular polling places for the Election and for counting the ballots and the tabulation of the results. The conduct of the Election and the use of the electronic voting system shall be in accordance with the Texas Election Code.

The Election shall be held as a Joint Election pursuant to a Joint Election Agreement by and between the City of Fort Worth and the Tarrant County Elections Administrator; the City of Fort Worth and the Denton County Elections Administrator; the City of Fort Worth and the Parker County Elections Administrator; and other political subdivisions located in those counties. Pursuant to the above-mentioned Joint Election Agreements, the Tarrant County Elections Administrator shall serve as the Elections Administrator for that portion of the Election held in Tarrant County, the Denton County Elections Administrator shall serve as the Elections Administrator for that portion of the Election held in Denton County, and the Parker County Elections Administrator shall serve as the Elections Administrator for that portion of the Election held in Parker County. Presiding Election Judges and Alternate Presiding Election Judges appointed to serve at said polling places listed in the Joint Election Agreements and Central Counting Stations and required personnel therefor shall be those furnished by the Elections Administrators pursuant to the terms of the Joint Election Agreements. Each Election Administrator is authorized to create an Early Voting Ballot Board pursuant to Section 87.001 of the Texas Election Code for the portion of the Election occurring in their respective county. Each Early Voting Ballot Board shall be made up of members appointed in the manner stated in the respective Joint Election Agreements, and the Presiding Judges and the Alternate Presiding Judges of the Early Voting Ballot Boards shall be the elections officials listed in the Joint Election Agreements.

SECTION 8. PROCLAMATION

This ordinance shall constitute the proclamation, call, and ordinance calling and ordering the Election.

SECTION 9. PUBLICATION

Notice of the Election shall be given by publishing a Notice of Election, in English, Spanish, and Vietnamese, at least once, not earlier than the 30th day or later than the 10th day before election day in a newspaper published in the City. A copy of the Notice of Election, in English, Spanish, and Vietnamese shall be posted on the City's board used for posting notices of the meeting of the Fort Worth City Council and on the City's website not later than the 21st day before election day.

SECTION 10. NOTICE

The way and manner of holding the Election, the notice to be given therefor, the polling places, the personnel and the officers who are to hold same, and all details connected with the holding of the Election shall be provided for and arranged by the City Secretary. The proper notice and publication of this notice, proclamation, call and ordinance shall be only cumulative of and in addition to the statutory notice of the Election as herein provided. Any omission or irregularity in this notice or in the publication or posting of this notice, proclamation, call and ordinance, or in the signing of same, shall not in any way affect or invalidate the Election.

SECTION 11. CONTROLLING LAW

In all respects, the Election shall be conducted in accordance with the Texas Election Code and the Charter of the City of Fort Worth, Texas.

SECTION 12.
OPEN MEETING COMPLIANCE

It is hereby officially found and determined that the meeting at which this Ordinance was adopted and the Election was called was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551 of the Texas Government Code, as amended.

SECTION 13.
EFFECTIVE DATE

This Ordinance, election order, proclamation, and call shall take effect upon adoption.

Mattie Parker
Mayor of the City of Fort Worth

APPROVED AS TO FORM AND LEGALITY:

Leann Guzman, City Attorney

ATTEST:

Jannette Goodall, City Secretary

ADOPTED and EFFECTIVE: _____